

UNITED STATES DEPARTMENT OF AGRICULTURE
ANIMAL AND PLANT HEALTH INSPECTION SERVICE



**OFFICIAL WARNING
VIOLATION OF FEDERAL REGULATIONS**

CASE NUMBER:

TN10032-AC

VIOLATOR:

Robert Marbry
d/b/a, White Oak Farm

ADDRESS (Street, City, State, ZIP Code):

10023 Rosemark Road
Atoka, TN 38004

The U.S. Department of Agriculture has evidence that on or about the date(s) listed below, you or your organization committed the following violation(s) of Federal Regulations:

Date of Violation: August 28, 2009

15 U.S.C. § 1824(1) Unlawful Acts (transporting).

On or about August 28, 2009, you knowingly transported a sore horse, known as "Too Tall Jones" to the 71st Annual Tennessee Walking Horse National Celebration. This code prohibits the transportation of a sore horse for the purpose of being shown or exhibited.

Date of Violation: August 28, 2009

15 U.S.C. § 1824(2) Unlawful Acts.

The (A) showing or exhibiting, in any horse show or horse exhibition, of any horse which is sore, (B) entering for the purpose of showing or exhibiting in any horse show or horse exhibition of any horse which is sore.

You entered or exhibited the sore horse, "Too Tall Jones" in the 71st Annual Tennessee Walking Horse National Celebration.

Date of Violation: August 28, 2009

9 C.F.R. § 11.3(b) Scar Rule.

The scar rule applies to all horses born on or after October 1, 1975. Horses subject to this rule that do not meet the...scar rule criteria shall be considered to be "sore" and are subject to all prohibitions of section 5 of the Act.

During a post-show inspection, the USDA inspector observed "Too Tall Jones" exhibited non-uniform thickening of the skin on the posterior aspects of the left and right pasterns, which is indicative of soring.

The Animal and Plant Health Inspection Service (APHIS) created federal regulations to ensure the welfare of animals and help prevent the spread of animal and plant pests and diseases. Since violations of the regulations can have serious and costly impacts that are detrimental to the public interest, APHIS is providing you with an Official Warning for the violation(s) described above. Any further violation of these federal regulations may result in the assessment of a civil penalty, criminal prosecution, or other sanctions. If you have any questions concerning this Official Warning or violation(s), please contact the APHIS official listed in this notice.

APHIS OFFICIAL (Name): Robert J. Huttenlocker	OFFICE ADDRESS: 4700 River Road, Unit 85 Riverdale, MD 20737	
APHIS OFFICIAL (Title): Director, Investigative and Enforcement Services	DATE ISSUED: 8/9/2012	TELEPHONE NUMBER: (301) 851-2948